



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Labor and Industries

Title of rule and other identifying information:

Environmental Tobacco Smoke, Chapter 296-800 WAC, Safety and Health Core Rules and Chapter 296-307 WAC, Safety Standards for Agriculture.

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Christine Swanson

Agency: Department of Labor and Industries

Address: Post Office Box 44001, Olympia, Washington 98504-4001

AND RECEIVED BY October 2, 2006

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this rulemaking is to amend the department's requirements relating to smoking in office work environments to conform with RCW 70.160, which was expanded with the passage of Initiative 901.

Reasons supporting proposal: See Attachment 1.

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060.

Statute being implemented: Chapter 49.17 RCW

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE

August 1, 2006

NAME (TYPE OR PRINT)

Gary K. Weeks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

WSR# 06-16-105

(COMPLETE REVERSE SIDE)

Name of proponent: (person or organization)
Department of Labor and Industries

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:		
Name	Office Location	Phone
Drafting..... Tracy Spencer	Tumwater	(360) 902-5530
Implementation....Stephen M. Cant	Tumwater	(360) 902-5495
Enforcement..... Stephen M. Cant	Tumwater	(360) 902-5495

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:
N/A

The purpose of this rulemaking is to amend the department's requirements relating to smoking in office work environments to conform with RCW 70.160, which was expanded with the passage of Initiative 901.

Chapter 296-307 WAC, Safety Standards for Agriculture
Chapter 296-800 WAC, Safety and Health Core Rules

AMENDED SECTIONS:

WAC 296-307-590, Summary.

- Change the title of WAC 296-307-59005 to “Prohibit tobacco smoke in your office work environment.
- Delete WAC 296-307-59010.
- Add a link to this section.

WAC 296-307-59005, Prohibit tobacco smoke in your office work environment.

- Add language to the exemption relating to maintaining a twenty-five feet distance from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.
- Combine this section and WAC 296-307-59010.
- Delete language relating to smoking rooms.

WAC 296-800-240, Summary.

- Change the title of WAC 296-800-24005 to “Prohibit tobacco smoke in your office work environment.
- Delete WAC 296-800-24010.
- Add a link to this section.

WAC 296-800-24005, Prohibit tobacco smoke in your office work environment.

- Add language to the exemption relating to maintaining a twenty-five feet distance from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.
- Combine this section and WAC 296-800-24010.
- Delete language relating to smoking rooms.

REPEALED SECTIONS:

WAC 296-307-59010, Control tobacco smoke that comes in from the outside.

- Move requirements relating to administrative controls to WAC 296-307-59005.
- Repeal this section.

WAC 296-800-24010, Control tobacco smoke that comes in from the outside.

- Move requirements relating to administrative controls to WAC 296-800-24005.
- Repeal this section.